

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT ABEYTA,

Defendant.

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Cause No. 1:24CR369 DHU

MOTION TO MODIFY CONDITIONS OF RELEASE

Robert Abeyta, through his attorney, Dennis J. Candelaria, moves this Court to modify his conditions of release to allow him to remove the location monitoring and leave the La Pasada Halfway House on April 2, 2025. Mr. Abeyta requests this date so that he may clean up his personal business in Okay Owingeh and subsequently surrender to FCI Danbury in Connecticut on April 9, 2025. The government, through Assistant United States Attorney Meg Tomlinson, and Pretrial Services, through United States Probation Officer Mike Adolph, oppose this request.¹ In support of this Motion, Mr. Abeyta states:

1. Mr. Abeyta was arrested on April 10, 2024, on a three-count indictment for Assault Resulting in Serious Bodily Injury, Assault with a Dangerous Weapon, and Using a Firearm in Relation to a Crime of Violence. (See Doc. 2)

2. On April 15, Mr. Abeyta was placed on conditions of release that included location monitoring and third-party custody of La Pasada Halfway House.

¹ Both AUSA Meg Tomlinson and USPO Mike Adolph do not oppose that Mr. Abeyta be allowed to remove his location monitoring and be released from the La Pasada Halfway House on April 6, 2025.

3. On April 19, 2024, Mr. Abeyta was released from the Bernalillo County Detention Center and reported to La Pasada. Per policy, staff conducted an intake of Mr. Abeyta and searched his property. Staff found a magazine of ammunition. It was later determined that Mr. Abeyta's brother mistakenly grabbed an old hunting bag instead of a bag that contained the necessary belongings of Mr. Abeyta's stay at La Pasada.

4. On May 3, 2024, Mr. Abeyta appeared in court for a motion to reconsider his conditions of release. The Court ordered Mr. Abeyta remain on the conditions of release and added the condition of zero tolerance and no possession of ammunition.

5. Since that court date, Mr. Abeyta has been fully compliant with his conditions of release.

6. Mr. Abeyta was sentenced on February 11, 2025. This Court granted Mr. Abeyta voluntary surrender. Mr. Abeyta has now received a surrender date of April 9, 2025, no later than 2:00 p.m.

7. Mr. Abeyta requests that the Court modify his conditions of release to remove his location monitoring and release him from third-party custody of La Pasada Halfway House on April 2, 2025, at 12:00 p.m. and surrender to FCI Danbury on April 9, 2025 no later than 2:00 p.m. All other conditions will remain the same.

WHEREFORE, Mr. Abeyta respectfully requests that the Court modify his conditions of release and all other conditions to remain in effect.

Respectfully submitted,

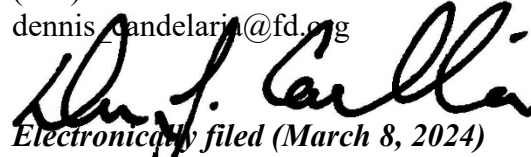
FEDERAL PUBLIC DEFENDER

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A handwritten signature in black ink, appearing to read "Dennis J. Candelaria", is written over the email address.

Electronically filed (March 8, 2024)

By: /s/ Dennis J. Candelaria

Dennis J. Candelaria

Assistant Federal Public Defender